

## ECA Update: May 27, 2015



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### DOE Nominees to Receive Hearing

Two DOE nominees will be considered by the Senate Energy and Natural Resources Committee on June 16 at 10am. Jonathan Elkind will be considered for the post of Assistant Secretary of Energy for International Affairs and Monica Regalbuto will be considered for the job of Assistant Secretary for Environmental Management. Regalbuto was renominated for the post earlier this year after the Senate failed to act on her nomination during last Congress. We will have more coverage of her hearing next month. More information can be found [here](#).

### DOE Inspector General Report on Nuclear Control at Portsmouth

This morning, the DOE's Inspector General released a report in response to an allegation that nuclear material accountability and

access controls at the Portsmouth Gaseous Diffusion Plant were inadequate. The report's summary notes that in general, "nothing came to our attention to indicate that the required nuclear material access controls were not in place. However, we found that improvements at Portsmouth could be made to increase confidence that nuclear material was accounted for and that any compromised tamper indicating devices protecting nuclear material are replaced in a timely manner." The full report can be found [here](#).

[DOE Nominations Hearing](#)

June 16

[Nuclear Fuel Cycle Legislation Hearing](#)

July 9

## **Nuclear Fuel Cycle Legislation Hearing in July**

The Senate Energy and Natural Resources Committee will hold a hearing on July 9 to receive testimony on nuclear fuel cycle legislation, including S. 854, the "Nuclear Waste Administration Act of 2015." That bill, championed by Committee Chairwoman Lisa Murkowski (R-AK) has attracted the support of other senators well known throughout the energy and nuclear cleanup world: Committee Ranking Member Maria Cantwell (D-WA), Energy and Water Appropriations leaders Sen. Lamar Alexander (R-TN) and Sen. Dianne Feinstein (D-CA), and Sen. Ron Wyden (D-OR). More on the hearing and the bill can be found [here](#).

**Wenstrup, Portman, & Johnson Press Administration to Explain Piketon Cleanup Plan**  
Rep. Brad Wenstrup Press Release  
May 21, 2015  
[LINK](#)

Today, Congressman Brad Wenstrup (OH-2), Congressman Bill Johnson (OH-6), and U.S. Senator Rob Portman (R-Ohio) demanded that the Department of Energy (DOE) detail its plan for avoiding disruptions in the decontamination and decommissioning (D&D) operations at the Portsmouth Gaseous Diffusion Plant following a unilateral decision by DOE to place new restrictions on a program that has been critical to funding work at the site. This environmental clean-up and restoration work employs nearly 2,000 individuals and is critically important to southern Ohio.

"In recent years, the D&D operations at Piketon have been supplemented by the sale of excess uranium," the lawmakers wrote. "Your previous secretarial determination covered transfers up to the equivalent of 2,055 metric tons of natural uranium (MTU) per year, in natural uranium hexafluoride provided to contractors for cleanup services at the Portsmouth Gaseous Diffusion Plant. The 2015

determination, however, reduces covered transfers down to 1,600 MTU for the 2016 calendar year, creating a shortfall of 455 MTU. We respectfully request that DOE explain, in detail, how workforce disruptions will be avoided in 2016 given the potential funding shortfalls described above.”

On May 1, 2015, the House of Representatives approved the fiscal year 2016 Energy and Water Development Appropriations bill which provided full funding for the cleanup work at Portsmouth. Specifically, the bill provided \$213 million for D&D operations, which surpassed the Obama Administration’s request by \$48 million. DOE’s latest determination could undo the progress being made by Congress in keeping this project on track by reducing a critical funding source for the D&D work by tens of millions of dollars. Such a reduction in funding is not compatible with the Administration’s stated goal of completing the work by 2024.

Text of the letter can be found [here](#).

**Senate proposes increased Hanford budget of \$2.3 billion**  
Tri-City Herald  
May 21, 2015  
[LINK](#)

The Senate’s proposed budget for Hanford in fiscal 2016 would provide a little more than \$2.3 billion for environmental cleanup work at the Hanford nuclear reservation.

That is almost \$79 million more than the administration’s request, thanks to the work of Sen. Patty Murray, D-Wash. It compares to just under \$2.2 billion in the current fiscal year budget for Hanford, not including money for security spending in either the current budget or proposed fiscal 2016 budget.

Murray worked for the strong funding for Hanford, but could not support the overall Energy and Water Development Appropriations Bill as it was passed out of committee. She objected to sequestration cuts.

“I am so pleased by the strong commitment we secured today in the Senate, especially after the administration’s budget cut millions of dollars for Richland Operations,” Murray said in a statement after the Senate Appropriations Committee hearing. “I found that completely unacceptable, and I fought to restore that funding because the federal government has a moral and legal obligation to

clean up Hanford.”

The Department of Energy Richland Operations Office is responsible for Hanford cleanup that includes work along the Columbia River, much of the central Hanford cleanup and groundwater protection and cleanup. The DOE Office of River Protection is responsible for the 56 million gallons of radioactive waste left from past weapons plutonium production held in underground tanks and the vitrification plant being built to treat the waste.

The proposed increase in Richland Operations Office spending would include \$5 million to bring community and regulatory support funding to the current year’s level of almost \$20 million. The money is used for regulator costs borne by the federal government, emergency preparedness, the Hanford Advisory Board and payments in lieu of taxes to local governments.

The remainder of the \$79 million would go to complete some of the remaining cleanup work along the Columbia River. It is intended to support cleanup of a highly radioactive spill under the 324 Building and to continue cleanup of the high-hazard 618-10 Burial Ground. Both are just north of the city of Richland.

The House budget includes a similar increase for the Richland Operations Office, but would put all of the increase into work near the Columbia River, rather than allocating some money to restore the budget for regulatory and community support.

The Senate budget also would fully fund the \$1.4 billion in the administration’s request for the tank farms and vitrification plant. Although the House budget had proposed more money for the Richland Operations Office, it would cut spending at the tank farms \$71 million and spending at the vitrification plant \$75 million from the administration’s request.

The Senate budget would include \$668 million for the tank farms, up from \$522 million in the current budget. It also would include \$746 million for the vitrification plant, up from \$690 million in the current budget.

It includes a change in how money is allocated for a proposed facility outside the vitrification plant, the Direct Feed Low Activity Waste Facility, which would prepare some waste to be treated at the vitrification plant while technical issues continue to be addressed elsewhere at the plant.

It would allow some of the money budgeted for the new facility to be used to perform additional testing for the facility to help ensure it works as proposed rather than allocating it for construction.

“Sen. Murray was incredible,” said Gary Petersen, vice chairman of Hanford programs for the Tri-City Development council. “We give her incredible recognition because she got the increase for ORP (the Office of River Protection) and RL (the Richland Operations Office) but she also stood on principle.”

Murray did not support the bill, which included the money she worked to have included for Hanford cleanup, because it included automatic cuts to put the budget at sequester levels.

The president has said he would veto any bill at sequester levels and won’t allow Republicans to boost defense without comparable relief for domestic programs.

“Now we have a choice. We can fix this problem now,” Murray said during the debate. “Or we can choose to ignore the problem we know exists, paper it over with a partisan gimmick fix, and set us up for another budget fight and potential crisis in the fall.”

Senators in both parties say they hope for a budget pact later this year that would free up funding for domestic programs, which are being hit by automatic cuts after a two-year respite under a budget pact negotiated in 2013 by Murray and Rep. Paul Ryan, R-Wis., then the leaders of the Senate and House Budget committees.

That pact replaced some immediate and automatic budget cuts known as sequestration with alternative longer-term cuts and fees elsewhere in the federal budget, and Murray said a similar deal is needed to win Obama’s signature on spending bills.

### **Nuclear Waste Hard To Handle For GOP Candidates**

National Journal  
May 26, 2015  
[LINK](#)

In South Carolina, voters want to ship their nuclear waste far away, maybe to a long-dormant federal site in Nevada called Yucca Mountain. Nevadans, on the other hand, mostly want to see it anywhere but in their state.

And with both states hosting early primaries just days apart, Republican presidential candidates are facing a tricky tightrope walk to avoid losing face in either state.

The Yucca Mountain nuclear waste repository, which would sit 100 miles outside of Las Vegas, was long thought to be dead, given Sen. Harry Reid's virulent opposition. But with Republicans back in control of the Senate and Reid's pending retirement, the issue has suddenly been revived, and candidates are stuck balancing competing local interests.

Saying you want to open the project—the position taken in recent weeks by Marco Rubio, Ted Cruz, and Ben Carson—and it's a winner on Feb. 20 in South Carolina, site of the nation's third primary after Iowa and New Hampshire.

But former Nevada Rep. James Bilbray called it "political suicide" in his state, which hosts a wide-open Feb. 23 caucus, the fourth in the nation and first in the West.

"In my political life, I've never seen an issue as emotional in Nevada as Yucca Mountain," said Bilbray, who, as a freshman Democrat, tried to fight the project when Congress first approved it in 1987.

"But I can understand in other states where this can be popular," he said. "I'm not the campaign, I'm not a candidate, but I can see where if you're looking at the big picture and you don't think you can win Nevada, you just try to get some publicity."

The project had been stalled under President Obama and Reid, but the Nuclear Regulatory Commission reopened its safety study in 2013, which has been favorable towards the site. The House approved \$150 million for the site in its fiscal 2016 Energy Department spending bill, and while the Senate did not include similar money, Republicans say they're open to inserting it during a floor debate or in conference with the House.

Jeb Bush and Mike Huckabee, two former governors, are staking out more nuanced positions on the Yucca Mountain project. Bush, who's expected to run for the Republican nomination, last week said he's doubtful of Yucca's future, although he acknowledged the need for a long-term solution to the country's waste storage problem.

"I think we need to move to a system where the communities and states want it," Bush told reporters in Reno. "It's a system where instead of having it forced down the throats of people, that there is a

consensus inside the communities and states that they want it and they proactively go for it.

And in a statement to National Journal, Huckabee said that "the citizens of Nevada—not federal bureaucrats—should determine the future of Yucca Mountain."

"As a former governor, I believe the federal government should not force Nevada to accept nuclear waste against their will, but work with Nevada officials to find a mutually agreeable solution," Huckabee said.

That stance, which mirrors what major GOP candidates like Mitt Romney have said in the past, is a bit of a hedge, said University of Nevada, Las Vegas political science professor David Damore.

"That's language you hear from Republicans trying to find a middle ground between what the nuclear industry wants and what you say when you're in Nevada," said Damore.

Polls show that voters largely don't want the repository to open, and Republican Gov. Brian Sandoval has pushed funds through the state legislature to fight the project. Reid lashed out at Bush and Rubio, saying in an email that he dared "any Republican to step foot in Nevada and declare their support for" Yucca Mountain.

"Let this be a warning to Republican presidential candidates as they make their way to Nevada: Google exists and you cannot hide from your past positions on Yucca Mountain," he said in a statement from the Nevada Democratic Party.

But nationally, Republicans and the nuclear industry want to see Yucca opened, since the government already has poured millions into the site and it's seen as the best federal location (there also is movement for smaller, private repositories in other states). Bush is even a member of the Clean and Safe Energy Coalition, a pro-Yucca group backed by the Nuclear Energy Institute, although he splits with it on this issue (the tie was first reported by Nevada political reporter Jon Ralston).

And in South Carolina, Yucca represents an opportunity to clear out its crowded nuclear waste sites; along with Washington, it sued the NRC to reopen its review of the Nevada project, a decision it won in 2013. Gov. Nikki Haley and Sen. Lindsey Graham, himself an expected 2016 candidate, applauded the decision and said they were determined to ensure South Carolina did not become a permanent



home to nuclear waste.

"If we could ship everything away, we'd do it for sure. We've even talked about putting it on rockets and sending it into space," said David Woodward, a political science professor at Clemson who has advised Republican campaigns. "Obviously its best to say that you're for Yucca Mountain here."

And that's why the state has become a welcome site for some pro-Yucca statements. Rubio said this month that with the money spent on Yucca, it should move forward. Cruz told the Greenville News that Yucca should have opened years ago, blaming the delay on Reid's "brand of nasty, partisan politics," although he added that if Nevadans opposed, he would be open to moving the site and recouping the federal funds spent there.

And Ben Carson said the Yucca site was "logical" given its sparse population, saying, "if the science is correct, we do have to come up with a mechanism for transporting the nuclear waste in a safe manner, and I think the people of Nevada would need to be compensated for that as well."

But that again leaves them on shaky ground in the valuable Nevada race. Rubio is in an especially awkward spot -- lieutenant governor Mark Hutchison also opposes the project, but was recently named chair of Rubio's Nevada campaign. Hutchison told the Las Vegas Review Journal that he wouldn't leave the campaign over the issue, but would "use my own personal influence and my relationship with him to make Nevada's case against Yucca Mountain."

A spokesman for Rand Paul said the senator was not commenting on Yucca, while a spokesman for Carly Fiorina did not return a request. Democrats have been generally opposed to the project; Hillary Clinton in the 2008 campaign said she opposed it.

Another variable complicating the candidates' stance was Nevada's current use of a caucus. Although it's an early voting state, the format of the caucus has blunted turnout and in the past made Romney, who had the support of the state's Mormon voters, and Ron Paul, backed by libertarians, the dominant figures there.

State leaders are exploring a move to a primary, which state analysts say could make the state more appealing to national candidates. That, Bilbray said, could give candidates like Bush a leg up when they avoid full-throated support for Yucca.



"If I don't think I'm winning a caucus, I move on and say something that's going to get me publicity," Bilbray said. "But I don't see how a candidate can win on this. Anyone, even you or me, could win against a candidate who supports Yucca."

